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EXAMINER	
PHAN, HANH	

ART UNIT	PAPER NUMBER
2633	29

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/454,164	MUNROE ET AL.	
	Examiner	Art Unit	
	Hanh Phan	2633	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 November 1999*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10,14-17 and 19-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-4,21 and 22* is/are allowed.

6)☒ Claim(s) *5-10,14-17,19,20 and 23-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is responsive to the Amendment filed on 03/18/2004.

2. In claim 5, lines 6 and 7, the phrase "**the second code is to identify a second station to receive a decoded output signal from the first station**" should be changed to --the second code is to identify a second station that is coupled to receive a decoded output signal from the first station--.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 5-10, 14-17 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mossberg et al (US Patent No. 6,314,220) in view of Chen (US Patent No. 6,765,908).

Regarding claim 5, 16 and 23, referring to Figure 1, Mossberg teaches a central station for an optical network, comprising:

a transmitter (10, 15a, 16a, Fig. 1) coupled to produce an optical data signal from an electrical data signal (col. 3, lines 34-67, col. 4, lines 1-27); and

an encoder (15c, 16c, 19, 20)(Fig. 1) coupled to apply a composite code to the optical data signal, the composite code having a first code (15 e) and a second code

(16e), wherein the first code (15e) is to identify a first station (15j) and the second code (16e) is to identify a second station (16j) (Fig. 1).

Mossberg differs from claims 5, 16 and 23 in that he fails to teach the second code is to identify a second station that is coupled to receive a decoded output signal from the first station. However, Chen in US Patent No. 6,765,908 teaches the second code is to identify a second station that is coupled to receive a decoded output signal from the first station (Fig. 1, col. 4, lines 30-67, col. 5, lines 1-20 and see abstract section). Therefore, it would have been obvious to one having skill in the art at the time the invention was made to incorporate the second code is to identify a second station that is coupled to receive a decoded output signal from the first station as taught by Chen in the system of Mossberg. One of ordinary skill in the art would have been motivated to do this since Chen suggests in column 4, lines 30-67, col. 5, lines 1-20 and abstract section that using such the second code is to identify a second station that is coupled to receive a decoded output signal from the first station have advantage of allowing sending data to user stations and to send an address with a signal to identify where the signal is to be sent.

Regarding claims 6, 17 and 24, Mossberg further teaches wherein the composite code to be applied by the encoder is a temporal code (Fig. 1, col. 2, lines 53-58).

Regading claims 7 and 25, Mossberg further teaches wherein the composite code is an address code designate an intended destination for data defined by the electrical data signal (Fig. 1).

Regading claim 8, the combination of Mossberg and Chen teaches a multiplexing station for an optical network, comprising:

a temporal address decoder coupled to receive a signal containing data coded according to a first downstream address code and a second downstream address code and to strip the first and second downstream address codes from the signal, wherein the first downstream address code is to designate a first destination and the second downstream address code is to designate a second destination, the second destination to receive the stripped signal from the first destination after the signal is stripped of the first downstream address code by the first destination (see Fig. 1 of Mossberg and see col. 4, lines 30-67, col. 5, lines 1-20 and abstract section of Chen).

Regarding claim 9, the combination of Mossberg and Chen teaches wherein the temporal address decoder is to strip an optical code from the signal (Fig. 1 of Mossberg and Fig. 1 of Chen).

Regarding claims 10 and 22, Mossberg further teaches wherein the optical code is a composite code (Fig. 1).

Regarding claim 14, the combination of Mossberg and Chen teaches wherein the temporal address decoder comprises at least one fiber Bragg grating coupled to strip the code (Fig. 1 of Mossberg).

Regarding claim 15, the combination of Mossberg and Chen teaches wherein further comprising an optical circulator coupled to direct the signal to at least one fiber Bragg grating (Fig. 1 of Mossberg and Fig. 1 of Chen).

5. Claims 5-10, 14-17 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mossberg et al (US Patent No. 6,314,220) in view of Saini et al (US Patent No. 5,383,179).

Regarding claim 5, 16 and 23, referring to Figure 1, Mossberg teaches a central station for an optical network, comprising:

a transmitter (10, 15a, 16a, Fig. 1) coupled to produce an optical data signal from an electrical data signal (col. 3, lines 34-67, col. 4, lines 1-27); and

an encoder (15c, 16c, 19, 20)(Fig. 1) coupled to apply a composite code to the optical data signal, the composite code having a first code (15 e) and a second code (16e), wherein the first code (15e) is to identify a first station (15j) and the second code (16e) is to identify a second station (16j) (Fig. 1).

Mossberg differs from claims 5, 16 and 23 in that he fails to teach the second code is to identify a second station that is coupled to receive a decoded output signal from the first station. However, Saini in US Patent No. 5,383,179 teaches the second code is to identify a second station that is coupled to receive a decoded output signal from the first station (see Figs. 1 and 2, col. 2, lines 9-67 and col. 3, lines 1-50). Therefore, it would have been obvious to one having skill in the art at the time the invention was made to incorporate the second code is to identify a second station that is coupled to receive a decoded output signal from the first station as taught by Saini in the system of Mossberg. One of ordinary skill in the art would have been motivated to do this since Saini suggests in column 2, lines 9-67 and col. 3, lines 1-50 that using such the second code is to identify a second station that is coupled to receive a

decoded output signal from the first station have advantage of allowing sending data to user stations and to send an address with a signal to identify where the signal is to be sent.

Regarding claims 6, 17 and 24, Mossberg further teaches wherein the composite code to be applied by the encoder is a temporal code (Fig. 1, col. 2, lines 53-58).

Regading claims 7 and 25, Mossberg further teaches wherein the composite code is an address code designate an intended destination for data defined by the electrical data signal (Fig. 1).

Regading claim 8, the combination of Mossberg and Saini teaches a multiplexing station for an optical network, comprising:

a temporal address decoder coupled to receive a signal containing data coded according to a first downstream address code and a second downstream address code and to strip the first and second downstream address codes from the signal, wherein the first downstream address code is to designate a first destination and the second downstream address code is to designate a second destination, the second destination to receive the stripped signal from the first destination after the signal is stripped of the first downstream address code by the first destination (see Fig. 1 of Mossberg and see col. 2, lines 9-67 and col. 3, lines 1-50 of Saini).

Regarding claim 9, the combination of Mossberg and Saini teaches wherein the temporal address decoder is to strip an optical code from the signal (Fig. 1 of Mossberg and Figs. 1 and 2 of Saini).

Regarding claims 10 and 22, Mossberg further teaches wherein the optical code is a composite code (Fig. 1).

Regarding claim 14, the combination of Mossberg and Saini teaches wherein the temporal address decoder comprises at least one fiber Bragg grating coupled to strip the code (Fig. 1 of Mossberg).

Regarding claim 15, the combination of Mossberg and Saini teaches wherein further comprising an optical circulator coupled to direct the signal to at least one fiber Bragg grating (Fig. 1 of Mossberg and Figs. 1 and 2 of Saini).

Allowable Subject Matter

6. Claims 1-4, 21 and 22 are allowed.

Response to Arguments

7. Applicant's arguments with respect to claims 5-10, 14-17, 19, 20 and 22-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Phan whose telephone number is (703)306-5840.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan, can be reached on (703)305-4729. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.

Hanh Phan

07/22/2004